

NOVEMBER 18, 1938

Minutes of a Regular Meeting of the City Council of the City of Idaho Falls, Idaho, held November 18th, 1938.

There were present at said Meeting: Chase A. Clark, Mayor; Lee Walker, City Clerk; Councilmen Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Absent: None; when the following proceedings were had, to-wit:

Minutes of the last Regular Meeting were read and approved.

The following applications for building permits were read:

- No. 1952 signed by J. L. Grimmett
- No. 1953 signed by Oscar King
- No. 1954 signed by Johnson Brothers
- No. 1955 signed by W. B. Ricketts

It was moved by Mehlhoff, seconded by Wing, that the permits be approved. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley; Nay: None; Motion carried.

Contract L. D. No. 9841 between Union Pacific Railroad Company and City of Idaho Falls, covering sewer pipe line encroachment was read. It was moved by Gourley, seconded by Wasley, that the Mayor be authorized to sign the Agreement. Roll call voting Aye: Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff; Nay: None; Motion carried.

The following Resolution was read:

RESOLUTION TRANSFERRING FUNDS

WHEREAS, it is deemed advisable to provide an appropriation for Federal Co-operation; and,

WHEREAS, appropriations have been provided for other activities of the City in excess of actual requirements;

NOW, THEREFORE, be it resolved that the following transfers be ordered covering the 1938-1939 Budget Estimate.

<u>CLASSIFICATION OF APPROPRIATION</u>	<u>DECREASE</u>	<u>FEDERAL CO-OPERATIVE APPROPRIATION</u>
Administrative Department		
Bonds & Insurance	\$1,000.00	
General Contingencies	2,500.00	
P. W. A.	<u>2,500.00</u>	\$6,000.00

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Police Department		
Other Officers	\$1,000.00	
Radiophones	450.00	
Filing Cabinets	100.00	
Transportation	<u>300.00</u>	1,850.00
Fire Department		
Equipment (Hose)	<u>650.00</u>	650.00
Purchasing Department		
Traffic Signals	350.00	350.00
Street & Alley Department		
Single Hand Labor	6,000.00	
Team Labor	2,000.00	
City Garage	500.00	
General Misc. Paving	7,100.00	
Flusher Repairs (Wheels)	<u>800.00</u>	16,400.00
City Park Department		
Misc. (Park Purchase)	1,500.00	1,500.00
Electric Light Department		
Plant Operators	1,500.00	
Plant Linemen	1,000.00	
Plant Laborers	1,000.00	
Plant Maintenance Supp.	1,500.00	
Line Maintenance Supp.	1,000.00	
Extensions	1,500.00	
Transportation	<u>750.00</u>	8,250.00
	<u>TOTAL</u>	\$35,000.00
Transfer within General Fund	\$26,750.00	
Transfer within Electric Light Fund	8,250.00	

It was moved by Evans, seconded by Fanning, that the Resolution be adopted and approved. Roll call voting Aye: Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley; Nay: None; Motion carried.

The following Resolution was read:

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RESOLUTION

WHEREAS, the City of Idaho Falls, Idaho, is the owner of the following described real property, to wit:

All of that portion of Lot 8, Section Twelve (12), Township Two (2) North, Range Thirty-seven (37) East Boise Meridian, lying North and East of the Oregon Short Line Railroad Right-of-Way, subject to existing easements and rights-of-way, in Bonneville County, Idaho,

WHEREAS, said property was not acquired or used as a public park, playground or public building site and is not needed for municipal purposes.

NOW, THEREFORE, BE IT RESOLVED, that said property be offered for sale at private sale and that the Clerk publish notice of intention to sell said property, as provided by law."

It was moved by Gourley, seconded by Crabtree, that the Resolution be adopted and approved. Roll call voting Aye: Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans; Nay: None; Motion carried.

W. P. A. Sponsor's easement covering sewer project was read. It was moved by Crabtree, seconded by Wing, that the Mayor be authorized to sign the easement for W. P. A. Sewer Project sponsored by the City of Idaho Falls. Roll call voting Aye: Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans, Sutton; Nay: None; Motion carried.

The following Resolution was read:

RESOLUTION NO. 1

WHEREAS, the bids received for the construction of the improvements of "SPECIAL IMPROVEMENT PAVING DISTRICT NUMBER 18" Idaho Falls, Idaho, Docket Number 1158-F Idaho, at Idaho Falls, Idaho, have been duly opened, read and compared, and it appears that W. C. Burns, Max J. Kuney and Olaf Nelson Construction Company, (co-bidders) are the low bidders in each of the four schedules; and,

WHEREAS, such bid is within the available funds of "SPECIAL IMPROVEMENT PAVING DISTRICT NUMBER 18", Docket Idaho 1158-F;

NOW, THEREFORE, BE IT RESOLVED, that the contract for the construction of said improvements of "SPECIAL IMPROVEMENT PAVING DISTRICT NUMBER 18", Docket Idaho 1158-F, be and the same is hereby awarded to W. C. Burns, Max J. Kuney and Olaf Nelson Construction Company (co-bidders) for the sum of One Hundred Thirty-one Thousand Six Hundred Ninety Dollars and Eighty-five cents (\$131,690.85), such bid being the basic bid of said bidders for "Schedule 1", without alternates or deductions;

BE IT FURTHER RESOLVED, that the Mayor and City Clerk of said City of Idaho Falls, Idaho, be and they are hereby authorized to execute such construction contract and any other NOVEMBER 18, 1938

documents, agreements or instruments in connection therewith for and on behalf of said City of Idaho Falls, Idaho."

It was moved by Fanning, seconded by Mehlhoff, that the Resolution be adopted and approved. Roll call voting Aye: Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree; Nay: None; Motion carried.

After discussion of the offer of the United States of America to aid by way of grant in financing the construction of an addition and alterations to a library building, including necessary equipment, except books, the following Resolution, Numbered 5 and entitled, "A Resolution Accepting the Offer of the United States to the City of Idaho Falls, Bonneville County, Idaho, to Aid by Way of Grant in Financing the Construction of and Addition and Alterations to a Library Building, Including Necessary Equipment, Except Books", was proposed by Wing and read in full:

RESOLUTION NO. 5

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO, TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF AN ADDITION AND ALTERATIONS TO A LIBRARY BUILDING, INCLUDING NECESSARY EQUIPMENT, EXCEPT BOOKS.

Be it Resolved by the City Council of the City of Idaho Falls, Bonneville County, Idaho.

Section 1. That the offer of the United States to the City of Idaho Falls, Bonneville County, Idaho, to aid by way of grant in financing the construction of an addition and alterations to a library building, including necessary equipment, except books, a copy of which offer reads as follows:

FEDERAL EMERGENCY ADMINISTRATION
OF PUBLIC WORKS

Washington, D. C.,
Dated: November 7, 1938
Docket No. Idaho 1254-F

The City of Idaho Falls,
Idaho Falls, Idaho

1. Subject to the Terms and Conditions (P. W. A Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of American hereby offers to aid in financing the construction of an addition and alterations to a library building, including necessary equipment, except books (herein called the "Project"), by making a grant to the City of Idaho Falls (herein called the "Applicant"), in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator

of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$18,000.00.

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2. By Acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 6 months from the commencement of construction.

3. This Offer is made subject to the express condition that, if the Administrator shall determine at anytime that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation directly or indirectly, a bonus commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly as lobbying performed or agreed to be performed in connection with the application, then the Administration shall have the right, in his discretion to rescind this Offer and any agreements resulting here-from, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

UNITED STATES OF AMERICA
Federal Emergency
Administrator of Public Works
By: s/ E. W. Clark
For the Assistant Administrator

be and the same is hereby in all respects accepted.

Section 2. That said City of Idaho Falls, Bonneville County, Idaho, agrees to abide by all the rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof.

Section 3. That the Clerk of the City Council of said City of Idaho Falls, Bonneville County, Idaho, be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of the proceedings of this Council in connection with the Adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

City of Idaho Falls,
Bonneville County, Idaho
By: s/ Chase A Clark, Mayor

The above Resolution was seconded by Gourley, and was adopted with the following voting Aye: Fanning, Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing. The following voted Nay: None. The Mayor thereupon declared said Resolution carried and the Mayor thereupon signed said Resolution in approval thereof.

The following Resolution was read:

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RESOLUTION NO. 1

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE CITY OF IDAHO FALLS, IDAHO, TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF AN ELEVATED WATER TANK.

Be it Resolved by the City Council:

Section 1. That the offer of the United States of America to the City of Idaho Falls, Idaho, to aid by way of grant in financing the construction of an Elevated Water Tank, a copy of which offer reads as follows:

"FEDERAL EMERGENCY ADMINISTRATION
OF PUBLIC WORKS

Washington, D. C.,
Dated: November 4, 1938
Docket No. Idaho 1236-F

The City of Idaho Falls,
Idaho Falls, Idaho

1. Subject to the Terms and Conditions (P. W. A. Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of American hereby offers to aid in financing the construction of improvements to waterworks system (herein called the "Project") by making a grant to the City of Idaho Falls (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by Federal Emergency Administrator of Public Works (herein call the "Administrator"), but not to exceed, in any event, the sum of \$27,338.

2. Be acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 9 months from the commencement of construction.

3. This offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the applications, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting here from, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

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United States of America
Federal Emergency
Administrator of Public Works
s/ E. W. Clark
For Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That said City of Idaho Falls, Idaho, agrees to abide by all the Terms and conditions of said offer, including the Terms and Conditions annexed thereto and made a part thereof.

Section 3. That the City Clerk be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of the proceedings of the City Council in connection with the adoption of this Resolution, setting forth this Resolution in full, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

s/ Chase A. Clark
MAYOR

It was moved by Sutton, seconded by Mehlhoff, that the Resolution be presented again at the next Regular Meeting. Roll call voting Aye: Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Nay: None; Motion carried.

It was moved by Fanning, seconded by Mehlhoff, that the Mayor and City Engineer be authorized to make application for a W. P.A. Project to construct a pedestrian underpass on Elm Street by the Junior High School. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley; Nay: None; Motion carried.

It was moved by Evans, seconded by Wing, that the Mayor be authorized to make application for a W. P. A. Project to construct a ten acre addition on the Rosehill Cemetery. Roll call voting Aye: Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff; Nay: None; Motion carried.

It was moved by Wasley, seconded by Mehlhoff, that the Mayor be authorized to make application for a W. P. A. Project to raise and improve the dam at the Upper Power Plant. Roll call voting Aye: Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff Wasley; Nay: None; Motion carried.

It was moved by Evans, seconded by Mehlhoff, that the Meeting adjourn. Roll call voting Aye: Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans; Nay: None; Motion carried.

Passed and approved this 2nd day of December, 1938.

ATTEST: s/ Lee Walker
CITY CLERK

s/ Chase A. Clark
MAYOR
